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|----------------------------------------------------------|--|------------------------|-------------------|
| <b>TRANSMITTAL FORM</b>                                  |  | Application Number     | 10/799,432        |
|                                                          |  | Filing Date            | March 12, 2004    |
| (to be used for all correspondence after initial filing) |  | First Named Inventor   | CHISHTI, MUHAMMAD |
|                                                          |  | Art Unit               | Unassigned        |
|                                                          |  | Examiner Name          | Unassigned        |
| Total Number of Pages in This Submission                 |  | Attorney Docket Number | 018563-000550US   |

| ENCLOSURES (Check all that apply)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Return Postcard<br>PTO/SB/08A and /08B Form<br>2 Reference Copies |
| Remarks                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                      | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.                                                                                                                                                                                                                                                                                                                                                                                                                   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |                                                       |                 |
|--------------------------------------------|-------------------------------------------------------|-----------------|
| Firm or Individual                         | Townsend and Townsend and Crew LLP<br>James M. Heslin | Reg. No. 29,541 |
| Signature                                  |                                                       |                 |
| Date                                       | 4/14/04                                               |                 |

| CERTIFICATE OF TRANSMISSION/MAILING                                                                                                                                                                                                                                                                           |                |      |         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|------|---------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |                |      |         |
| Typed or printed name                                                                                                                                                                                                                                                                                         | Edward Masinas |      |         |
| Signature                                                                                                                                                                                                                                                                                                     |                | Date | 4-15-04 |

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On 4 - 15 - 04



TOWNSEND and TOWNSEND and CREW LLP

By: Edward Masinas  
Edward Masinas

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

MUHAMMAD CHISHTI et al.

Application No.: 10/799,432

Filed: March 12, 2004

For: SYSTEM AND METHOD FOR  
RELEASING TOOTH POSITIONING  
APPLIANCES

Examiner: Unassigned

Art Unit: Unassigned

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references, except U.S. 2003/0224311 A1 and U.S. 6,572,372 B1, can be found in Application No. 10/262,516, filed 09/30/2002 (Attorney Docket No. 018563-000540US). Copies of U.S. 2003/0224311 A1 and U.S. 6,572,372 B1 are enclosed herewith. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

**PATENT**  
Attorney Docket No.: 018563-000550US  
Client Reference No.: AT-00006.4

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

James M. Heslin  
Reg. No. 29,541

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60190337 v1



|                               |   |    |   |                          |                   |
|-------------------------------|---|----|---|--------------------------|-------------------|
| Substitute for form 1449A/PTO |   |    |   | <i>Complete if Known</i> |                   |
|                               |   |    |   | Application Number       | 10/799,432        |
|                               |   |    |   | Filing Date              | March 12, 2004    |
|                               |   |    |   | First Named Inventor     | CHISHTI, MUHAMMAD |
|                               |   |    |   | Art Unit                 | Unassigned        |
|                               |   |    |   | Examiner Name            | Unassigned        |
| Sheet                         | 1 | of | 2 | Attorney Docket Number   | 018563-000550US   |

| U.S. PATENT DOCUMENTS+ |                       |                                          |                                |                                                    |                                                                                 |
|------------------------|-----------------------|------------------------------------------|--------------------------------|----------------------------------------------------|---------------------------------------------------------------------------------|
| Examiner Initials*     | Cite No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                        |                       | Number Kind Code <sup>2</sup> (if known) |                                |                                                    |                                                                                 |
|                        | AA                    | 3,407,500                                | 10/1968                        | Kesling                                            |                                                                                 |
|                        | AB                    | 3,950,851                                | 04/1976                        | Bergersen                                          |                                                                                 |
|                        | AC                    | 4,526,540                                | 07/1985                        | Dellinger                                          |                                                                                 |
|                        | AD                    | 4,591,341                                | 05/1986                        | Andrews                                            |                                                                                 |
|                        | AE                    | 4,755,139                                | 07/1988                        | Abatte et al.                                      |                                                                                 |
|                        | AF                    | 4,798,534                                | 01/1989                        | Breads                                             |                                                                                 |
|                        | AG                    | 4,856,991                                | 08/1989                        | Breads et al.                                      |                                                                                 |
|                        | AH                    | 4,983,334                                | 01/1991                        | Adell                                              |                                                                                 |
|                        | AI                    | 5,035,613                                | 07/1991                        | Breads et al.                                      |                                                                                 |
|                        | AJ                    | 5,055,039                                | 10/1991                        | Abatte et al.                                      |                                                                                 |
|                        | AK                    | 5,059,118                                | 10/1991                        | Breads et al.                                      |                                                                                 |
|                        | AL                    | 5,186,623                                | 02/1993                        | Breads et al.                                      |                                                                                 |
|                        | AM                    | 5,328,362                                | 07/1994                        | Watson et al.                                      |                                                                                 |
|                        | AN                    | 5,645,421                                | 07/1997                        | Slootsky                                           |                                                                                 |
|                        | AO                    | 6,183,248                                | 02/2001                        | Christi et al.                                     |                                                                                 |
|                        | AP                    | 6,482,298                                | 11/2002                        | Bhatnagar, Parijat                                 |                                                                                 |
|                        | AQ                    | 6,572,372                                | 06/2003                        | Phan et al.                                        |                                                                                 |
|                        | AR                    | 2003/0224311                             | 12/2003                        | Cronauer                                           |                                                                                 |
|                        |                       |                                          |                                |                                                    |                                                                                 |

| FOREIGN PATENT DOCUMENTS |                       |                           |                     |                                |                                                       |                                                                                    |                          |
|--------------------------|-----------------------|---------------------------|---------------------|--------------------------------|-------------------------------------------------------|------------------------------------------------------------------------------------|--------------------------|
| Examiner Initials*       | Cite No. <sup>1</sup> | Foreign Patent Document   |                     | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited<br>Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup>           |
|                          |                       | Country Code <sup>3</sup> | Number <sup>4</sup> |                                |                                                       |                                                                                    |                          |
|                          | AS                    | JP                        | 63-11148            | 01/1988                        | Ozukuri                                               |                                                                                    | <input type="checkbox"/> |
|                          | AT                    | WO                        | WO 98/58596         | 07/1998                        |                                                       |                                                                                    | <input type="checkbox"/> |
|                          |                       |                           |                     |                                |                                                       |                                                                                    | <input type="checkbox"/> |
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|                          |                       |                           |                     |                                |                                                       |                                                                                    | <input type="checkbox"/> |

|                    |                 |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>2</sup> Applicant's unique citation designation number (optional). <sup>3</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

|                                                          |   |    |   |                               |                   |
|----------------------------------------------------------|---|----|---|-------------------------------|-------------------|
| Substitute for form 1449B/PTO                            |   |    |   | <b>Complete if Known</b>      |                   |
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b> |   |    |   | <i>Application Number</i>     | 10/799,432        |
|                                                          |   |    |   | <i>Filing Date</i>            | March 12, 2004    |
|                                                          |   |    |   | <i>First Named Inventor</i>   | CHISHTI, MUHAMMAD |
|                                                          |   |    |   | <i>Art Unit</i>               | Unassigned        |
|                                                          |   |    |   | <i>Examiner Name</i>          | Unassigned        |
| Sheet                                                    | 2 | of | 2 | <i>Attorney Docket Number</i> | 018563-000550US   |

| <b>NON PATENT LITERATURE DOCUMENTS</b> |                                        |                                                                                                                                                                                                                                                                 |  |                |
|----------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------|
| Examiner Initials *                    | Cite No. <sup>1</sup>                  | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |  | T <sup>2</sup> |
|                                        | AU <input checked="" type="checkbox"/> | Chiappone, "Constructing the gnathologic setup and positioner" <i>J. Clin. Orthod.</i> (1980) 14:121-133.                                                                                                                                                       |  |                |
|                                        | AV <input checked="" type="checkbox"/> | Cottingham, "Gnathologic clear plastic positioner" <i>Am. J. Orthod.</i> (1969) 55:23-31.                                                                                                                                                                       |  |                |
|                                        | AW <input checked="" type="checkbox"/> | Cureton, "Correcting malaligned mandibular incisors with removable retainers" <i>J. Clin. Orthod.</i> (1996) 30:390-395.                                                                                                                                        |  |                |
|                                        | AX <input checked="" type="checkbox"/> | Kesling, "Coordinating the predetermined pattern and tooth positioner with conventional treatment" <i>Am. J. Orthod. Oral. Surg.</i> (1946) 32:285-293.                                                                                                         |  |                |
|                                        | AY <input checked="" type="checkbox"/> | Kesling, "The philosophy of the tooth positioning appliance" <i>Am. J. Orthod. Oral. Surg.</i> (1945) 31(6):297-304.                                                                                                                                            |  |                |
|                                        | AZ <input checked="" type="checkbox"/> | Kleemann et al., "The speed positioner" <i>J. Clin. Orthod.</i> (1996) 30:673-680.                                                                                                                                                                              |  |                |
|                                        | BA <input checked="" type="checkbox"/> | Product Brochure, Tru-Tain Orthodontic & Dental Supplies, Rochester, Minnesota 55902, 16 pages total.                                                                                                                                                           |  |                |
|                                        | BB <input checked="" type="checkbox"/> | Raintree Essix™ & ARS Materials, Inc., Raintree Essix™ Technical Magazine Table of Contents and Essix™ Applications, <a href="http://www.essix.com/magazine/default.html">http://www.essix.com/magazine/default.html</a> (Aug. 13, 1997) 7 pages total.         |  |                |
|                                        | BC <input checked="" type="checkbox"/> | Shilliday, "Minimizing finishing problems with the mini-positioner" <i>Am. J. Orthod.</i> (1971) 59:596-599.                                                                                                                                                    |  |                |
|                                        | BD <input checked="" type="checkbox"/> | Warunek et al., "Clinical use of silicone elastomer appliances" <i>JCO</i> (1989) XXIII(10):694-700.                                                                                                                                                            |  |                |
|                                        | BE <input checked="" type="checkbox"/> | Wells, "Application of the positioner appliance in orthodontic treatment" <i>Am. J. Orthodont.</i> (1970) 58:351-366.                                                                                                                                           |  |                |
|                                        | BF <input checked="" type="checkbox"/> | English translation of Japanese Laid-Open Publication No. 63-11148 to inventor T. Ozukuri (Laid-Open on January 18, 1988) pp. 1-7.                                                                                                                              |  |                |
|                                        |                                        |                                                                                                                                                                                                                                                                 |  |                |

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|                    |                 |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>2</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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